

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

JAMES T. ROLLINS and WANDA  
ROLLINS,

Plaintiffs,

v.

PEPSICO, INC. a/k/a Bottling  
Group, LLC or Bottling Group  
Holdings, Inc., NEW BERN  
TRANSPORT CORPORATION, and/or  
A.B.C. that individual  
partnership, corporation or  
foreign profit corporation  
doing business as the same on  
October 17, 2013 and/or  
responsible when plaintiff was  
injured at the Dollar General  
located at 3120 Peach Orchard  
Road, Augusta, GA,

Defendants.

1:15-cv-156

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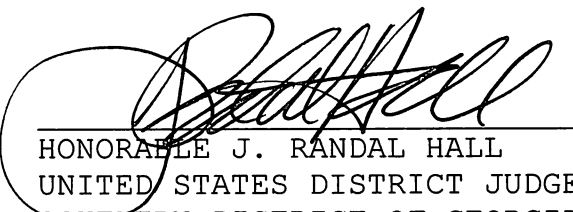
O R D E R

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Presently before the Court is the parties' consent motion to dismiss without prejudice. (Doc. 6). In their motion, the parties indicate that "'PEPSICO, INC. a/k/a Bottling Group, LLC or Bottling Group, Holdings, Inc.," and other unnamed entities in the complaint . . . are improper parties." (Id.). Accordingly, the parties have agreed to voluntarily dismiss these improper parties. (Id.). This leaves Defendant New Bern Transport Corp. as the sole remaining defendant in this case.

Pursuant to Federal Rule of Civil Procedure 41(a)(i)(A)(ii), the Court **DISMISSES WITHOUT PREJUDICE** all claims against Defendants Pepsico, Inc. a/k/a Bottling Group, LLC or Bottling Group, Holdings, Inc., and other unnamed entities in the complaint. The Clerk **SHALL TERMINATE** Pepsico, Inc. a/k/a Bottling Group, LLC or Bottling Group, Holdings, Inc., and other unnamed entities as defendants in this action and terminate all deadlines and motions pertaining to these parties. Each party shall bear its own costs and attorney's fees. The sole remaining defendant shall be New Bern Transport Corp.

**ORDER ENTERED** at Augusta, Georgia, this 30<sup>th</sup> day of October, 2015.



HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA